



# The UK government is advancing an Online Safety Bill

The UK government has published a response to the [Online Harms White Paper](#), setting out plans for an Online Safety Bill

Regulator: Ofcom

## RISK BAROMETER:



## JURISDICTION RELEVANCE:

UK

## TIMELINE:

The bill will be read to parliament in 2021, but it might not be until 2022 or later before it comes into force.

## WHAT YOU SHOULD KNOW:

- In April 2019, the Online Harms White Paper proposed strict, world first guidelines governing the removal of illegal and abusive content online. After protracted delay, the government has published a [full response](#), setting out the basis of an Online Safety Bill:
- Tech firms will have a legal duty of care to users.
- Platforms will need to protect users from a range of harms (terrorism, child abuse, self-harm and suicide imagery etc).
- Ofcom, the appointed regulator, will get tough new enforcement powers.
- The regulatory framework will apply to online services including social media platforms, search engines, video games that allow 'online interaction,' P2P services, online forums and pornography websites.
- The government is taking a 'categorised approach' whereby responsibility is graduated. Tech giants such as Facebook and Instagram will fall into the strictest tier (Category 1). Most companies will fall into Category 2. All companies will need mechanisms for users to easily report harmful content, receive platform support and appeal the takedown of content.

- Ofcom will set out how companies can fulfil their duty of care in codes of practice encompassing safety by design. It will have powers to force the removal of 'harmful' content and, in the event of non-compliance, fines of up to £18m or 10% of global annual turnover.

## MOST TELLING:

**"We are entering a new age of accountability for tech to protect children and vulnerable users, to restore trust in this industry, and to enshrine in law safeguards for free speech."**

**(Oliver Dowden, Secretary of State for DCMS  
(Department for Culture Media and Sport))**

## DELANY & CO HOT TAKE:

The relevance to app-based games may be limited to chat services under Category 2's softer rules. However, these still require 'proportionate steps to address relevant illegal content and activity, and to protect children.' We await further clarity from the publication of the Bill.